

[NAVY AND DLA EMPLOYEES]

CERTIFICATE OF NON-DISCLOSURE AND CONFLICT OF INTEREST STATEMENT

For Procurement Related Information and Documents Reviewed Under The Red Hill Administrative Order on Consent, EPA DKT NO. RCRA 7003-R9-2015-01, DOH DKT No. 15-UST-EA-01

I understand that in the course of my duties and responsibilities, I may have access to information received by the Government in confidence from non-Federal entities in connection with potential acquisitions for implementation of the Red Hill Administrative Order on Consent (AOC) including, but not necessarily limited to, technical approaches, past performance information, trade secrets, inventions, discoveries, and reports of a financial or technical nature and cost or pricing-related information. I may also have access to other procurement information such as cost estimates, the names, identities, or numbers of non-Federal entities under consideration or the methods or procedures used in the selection of a contractor, including, but not limited to, the standards and ratings used in the evaluation process. I understand that this and other information gained or generated during the AOC process may be subject to privilege under the Freedom of Information Act (FOIA) and section 10.d. of the AOC, and may constitute "source selection information" and "contractor bid and proposal information" as those terms are defined in Federal Acquisition Regulations (FAR) Sections 2.101 and 3.104. I understand that federal law prohibits the unauthorized disclosure of such information. I agree not to disclose such information to any individual outside of the acquisition team members and advisors without the express authorization of the Navy Red Hill Program Manager or the Contracting Officer responsible for the particular acquisition in question. I understand that my obligation not to disclose the information described above does not terminate with the award of a contract or any other contract action. I further understand that unauthorized disclosure of such information may result in disciplinary action, including termination of employment. If I am a military member, I understand that failure to comply with these conditions may result in disciplinary action under the Uniform Code of Military Justice.

I understand that for information to be shared with regulators pursuant to the AOC, each page of any document that is subject to a claim of privilege from disclosure should be appropriately labeled as provided in Section 10.d. of the AOC.

I further affirm that I have reviewed my financial interests, and the interests of my spouse and minor children, and to the best of my knowledge, those interests are not likely to create a real or apparent conflict of interest with my participation in any acquisition related to the AOC. In the event a proposal is received from a firm or firms in which I have a personal or financial interest of any nature, I will immediately notify the Navy Red Hill Program Manager and the Contracting Officer for the specific acquisition. I acknowledge that the personal or financial interest may require my removal from further participation in the AOC and/or source selection. (Note that the interest of a spouse, minor child, or other member of an employee's immediate household should be reported in the same manner as an interest of the employee.) I have filed an OGE 450 with my Ethics Counselor and will update that form if required.

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive Order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an

Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive Orders and statutory provisions are incorporated into this agreement and are controlling.

Employee's Name Printed: _____

Employee's Signature: _____

Date: _____